

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

<b>AIR FORCE OFFICER,</b>	)	
	)	
Plaintiff-Appellee,	)	Case No. 22-11200
v.	)	
	)	
<b>LLOYD J. AUSTIN, III, et al.,</b>	)	
	)	
Defendants-Appellees.	)	

**MAY 2023 STATUS REPORT**

Pursuant to the Court’s August 24, 2022 Order, the parties hereby jointly provide this status update:

- On April 17, 2023, the Sixth Circuit Court of Appeals denied the government’s petition for panel rehearing or rehearing en banc in *Doster v. Kendall*, Nos. 22-3497, 22-3702 (6th Cir.). See *Doster v. Kendall*, 65 F.4th 792 (6th Cir. 2023).
- On April 18, 2023, the Southern District of Ohio ordered briefing on the issue of mootness in *Doster v. Kendall*, No. 1:22-cv-84 (S.D. Ohio), with the governments’ brief being due on May 2, 2023, and plaintiffs’ brief being due on May 16, 2023. On May 2, 2023, the government filed a motion to dismiss the *Doster* case as moot.

Dated: May 12, 2023

/s/ Adam S. Hochschild

Adam S. Hochschild  
Hochschild Law Firm, LLC  
THOMAS MORE SOCIETY  
PO Box 401  
Plainfield, VT 05667  
(314)503-0326  
adam@hochschildlaw.com

Mary Catherine Hodes  
THOMAS MORE SOCIETY  
112 S. Hanley Rd., Second Floor  
Clayton, MO 63105  
(314)825-5725  
mchodes@thomasmoresociety.org

Stephen M. Crampton  
THOMAS MORE SOCIETY  
PO Box 4506  
Tupelo, MS 38803  
(662)255-9439  
scrampton@thomasmoresociety.org

Michael G. McHale  
THOMAS MORE SOCIETY  
1056 Burt Circle, Ste. 110  
Omaha, NE 68114  
(312)782-1680  
mmchale@thomasmoresociety.org

*Counsel for Plaintiff-Appellee*

BRIAN M. BOYNTON

*Principal Deputy Assistant Attorney General*

PETER D. LEARY

*United States Attorney*

CHARLES W. SCARBOROUGH

/s/ Sarah J. Clark

SARAH J. CLARK

*Attorneys, Appellate Staff*

*Civil Division*

*U.S. Department of Justice*

*950 Pennsylvania Ave., NW*

*Washington, DC 20530*

*202-305-8727*

*Counsel for Defendants-Appellees*